

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

IN RE:)	
)	
CYNTHIA F. TONEY, A/K/A)	
CYNTHIA F. PASSMORE,)	
)	
PLAINTIFF,)	CASE NUMBER: 2:06-CV-949
)	
vs.)	JURY DEMAND
)	
MEDICAL DATA SYSTEMS, INC.,)	
D/B/A MEDICAL REVENUE SERVICES, INC.,)	
)	
DEFENDANT.)	

MOTION TO EXTEND DISPOSITIVE MOTION DEADLINE

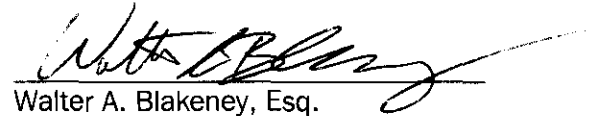
COMES NOW, the Plaintiff, Cynthia F. Toney, a/k/a Cynthia F. Passmore (hereinafter, "Cynthia Toney"), by and through her undersigned attorney, and files this motion to extend the dispositive motion deadline, and in support of same, states as follows:

1. The dispositive motion deadline in this case is October 25, 2007.
2. On November 20, 2007, the Honorable Myron Thompson is scheduled to hear and decide a case involving this Defendant. The civil action pending before Judge Thompson is styled Andrews v. Medical Data Systems, Inc., d/b/a Medical Revenue Services, Inc., case number 1:06-cv-729, and involves nearly identical facts and legal issues currently pending before this Honorable Court.
3. Depending upon Judge Thompson's findings and conclusions in Andrews, the Plaintiff in the instant case may be entitled to summary judgment based on the legal principle of collateral estoppel.

WHEREFORE, the Plaintiff, Cynthia Toney, requests this Honorable Court extend the deadline for filing dispositive motions, and for all other relief that is just.

Respectfully submitted this 23rd day of October, 2007.

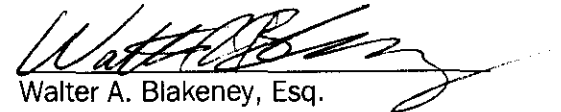
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CERTIFICATE OF SERVICE

I, the undersigned hereby certify that I have this date served a copy of the foregoing upon James C. Huckaby, Jr., Esq., J. Kirkman Garrett, Esq., John G. Parker, Esq., and Stefanie Jackman, Esq., via electronic mail at jch@hsdpc.com, jkgarrett@csattorneys.com, johnparker@paulhastings.com, and stefaniejackman@paulhastings.com, this 23rd day of October, 2007.



Walter A. Blakeney, Esq.